



NORTH CAROLINA GENERAL ASSEMBLY
AMENDMENT
Senate Bill 33

AMENDMENT NO. _____
(to be filled in by
Principal Clerk)

S33-ATG-5 [v.3]

Page 1 of 1

Comm. Sub. [YES]
Amends Title [NO]
First Edition

Date _____, 2011

Senator _____

1 moves to amend the bill on page 1, lines 13-14 by rewriting the lines to read:

2 "**§ 90-21.12. Standard of health care.**"

3
4 and on page 1, line 22 by rewriting the line to read:

5 "similar communities under the same or similar circumstances at the time of the alleged act or
6 omission giving rise to the cause of action."

7
8 and on page 1, lines 23-30, by rewriting the lines to read:

9 "(b) In any medical malpractice action arising out of the furnishing or the failure to furnish
10 services pursuant to obligations imposed by 42 USC §1395dd for an emergency medical
11 condition as defined in 42 USC §1395dd, the defendant health care provider shall not be liable
12 for the payment of damages unless the trier of fact finds by clear and convincing evidence that
13 the health care provider failed to comply with the standard of care required under subsection (a)
14 of this section. Nothing in this subsection shall be construed to change, alter, override, or
15 otherwise affect the provisions of G.S. 90-21.14, 90-21.15, 90-21.16, or 20-166."

SIGNED _____

Amendment Sponsor

SIGNED _____

Committee Chair if Senate Committee Amendment

ADOPTED _____ FAILED _____ TABLED _____



* S 3 3 - A T G - 5 - V - 3 *